



INTERIOR BOARD OF INDIAN APPEALS

Fort Belknap Community Council v. Billings Area Director, Bureau of Indian Affairs

26 IBIA 16 (05/24/1994)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

FORT BELKNAP COMMUNITY	:	Order Dismissing Appeals
COUNCIL,	:	
	:	
Appellant	:	
	:	
v.	:	Docket Nos. IBIA 93-98-A
	:	IBIA 94-17-A
BILLINGS AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	May 24, 1994

Appellant Fort Belknap Community Council sought review of two decisions issued by the Billings Area Director, Bureau of Indian Affairs (Area Director). The first appeal, Docket No. IBIA 93-98-A, concerned the Area Director's May 6, 1993, denial of appellant's request to add indirect cost funds to Contract No. CTC55T20412, Aid to Tribal Government program. The second appeal, Docket No. IBIA 94-17-A, concerned the September 29, 1993, disapproval of Tribal Resolution Nos. 84-93 and 85-93.

Docket No. IBIA 93-98-A was stayed on December 14, 1993, in order to allow settlement negotiations. The Board was orally advised that a settlement had been reached.

On March 4, 1994, the Board received a copy of a letter from the Area Director to appellant indicating that the Fort Belknap Agency Superintendent had advised the Area Director that appellant had decided to dismiss Docket No. IBIA 94-17-A. The Area Director informed appellant that it would need to request that the Board dismiss the appeal.

The Board received no further communications from appellant in regard to either appeal. The Board gave appellant an opportunity to advise the Board as to whether or not it wished to pursue either or both appeals. Appellant was informed that, if it did not advise the Board by April 29, 1994, that it wished to pursue either or both appeals, the appeals would be dismissed for lack of prosecution.

Appellant has not responded to the Board's order. Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, these appeals are dismissed.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge